

**In The Matter Of:**  
*MICHAEL PRINCE vs*  
*WASHINGTON COUNTY, MISSISSIPPI*

---

JEFFREY PARSON  
April 21, 2014



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*Alpha Reporting Corporation*  
*236 Adams Avenue*  
*Memphis, TN 38103*  
*901-523-8974*



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EXHIBIT

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Page 1

1  
2 IN THE UNITED STATES DISTRICT COURT  
3 NORTHERN DISTRICT OF MISSISSIPPI  
4 GREENVILLE DIVISION  
5  
6 MICHAEL PRINCE,  
7 Plaintiff,  
8 Vs. Case No. 4:13cv165-SA-JMV  
9 WASHINGTON COUNTY, MISSISSIPPI  
10 SHERIFF MICHAEL GASTON, in his  
11 Official Capacity, LIEUTENANT  
12 MACK WHITE, in his individual  
13 and official capacity, DEPUTY  
14 MARVIN MARSHALL, in his  
15 individual and official capacity,  
16 and JOHN DOES 1-10,  
17 Defendants.  
18  
19 THE DEPOSITION OF JEFFREY PARSON  
20 April 21, 2014  
21  
22 ALPHA REPORTING CORPORATION  
23 SHERYL G. WEATHERFORD, RPR  
24 236 Adams  
25 Memphis, Tennessee 38103  
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1 The deposition of JEFFREY PARSON, taken  
2 on this, the 21st day of April, 2014, on behalf of  
3 the Plaintiff, pursuant to notice and consent of  
4 counsel, beginning at approximately 1:00 p.m. in  
5 the law offices of Campbell DeLong, LLP, 923  
6 Washington Avenue, Greenville, Mississippi.  
7 This deposition is taken in accordance  
8 with the terms and provisions of the Federal Rules  
9 of Civil Procedure.  
10 All forms and formalities are waived.  
11 Objections are [reserved/not reserved], except as  
12 to form of the question, to be disposed of at or  
13 before the hearing.  
14 The signature of the witness is waived.  
15  
16  
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22  
23  
24  
25

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1 - APPEARANCES -  
2  
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1 JEFFREY PARSON  
2 Having been first duly sworn, was examined and  
3 testified as follows:  
4 **EXAMINATION**  
5 **BY MR. DUNCAN:**  
6 Q. To begin, Jeffrey, I just ask you to state  
7 your name for the record.  
8 A. **Jeffrey Parson.**  
9 **MR. DUNCAN:** All right. We are going  
10 to waive all objections, save them.  
11 **MR. PHILLIPS:** Except as to the form.  
12 **MR. DUNCAN:** As to the form. Okay.  
13 **MR. PHILLIPS:** That's fine.  
14 **MR. DUNCAN:** So we would stipulate to  
15 that, and this deposition is being taken pursuant  
16 to notice, and I would make that Exhibit 1.  
17 (Whereupon, the above-mentioned  
18 document was marked as Exhibit No. 1.)  
19 **BY MR. DUNCAN:**  
20 Q. All right. Jeffrey, have you ever given a  
21 deposition before?  
22 A. **No, sir.**  
23 Q. Okay. Just tell you a little bit about  
24 what we are going to do today. I'm going to ask  
25 you some questions. You have got your attorney

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1 here. He may object to some of the questions I  
2 ask, the way I ask them, and if he does that,  
3 that's fine. And if I ask you a question that you  
4 don't understand the -- understand what I'm  
5 asking, I ask you not to answer it. Just ask me  
6 to rephrase it or what have you, so I want to make  
7 sure that you're understanding everything that I'm  
8 asking. Is that fair enough?  
9 A. **Yes, sir.**  
10 Q. Tell me what is your full name.  
11 A. **Jeffrey, J-E-F-F-R-E-Y, Parson,**  
12 **P-A-R-S-O-N.**  
13 Q. And, Jeffrey, what is your address?  
14 A. [REDACTED]  
15 [REDACTED]  
16 Q. And your social security number?  
17 A. [REDACTED]  
18 Q. And I see you're in uniform today, but I  
19 would ask you to tell me what your occupation is.  
20 A. **I am the captain at Leland Police**  
21 **Department in Leland, Mississippi.**  
22 Q. Okay. And how long have you been employed  
23 with Leland?  
24 A. **Since December of last year.**  
25 Q. December of 2012?

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1 A. **2013.**  
2 Q. '13. All right. And prior to that, where  
3 were you employed?  
4 A. **The Washington County Sheriff's**  
5 **Department.**  
6 Q. What was your position or rank there at  
7 the Washington County Sheriff's?  
8 A. **At the time when I left Washington County,**  
9 **it was a lieutenant over a shift.**  
10 Q. Prior to that, was your rank, a sergeant  
11 prior to that?  
12 A. **Yes, sir.**  
13 Q. When did you get the promotion from  
14 sergeant to lieutenant?  
15 A. **I'm not for sure, but I think around July**  
16 **of 2013.**  
17 Q. Okay. And how long had you been with the  
18 Washington County Sheriff's Department?  
19 A. **December 20th would have been 12 years for**  
20 **me.**  
21 Q. So right before your 12-year  
22 anniversary --  
23 A. **Yes, sir.**  
24 Q. -- you switched over to Leland?  
25 A. **Yes, sir.**

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1 Q. And you're a captain there at Leland?  
2 A. **Yes, sir.**  
3 Q. And let me ask you this, are you married,  
4 Jeffrey?  
5 A. **No, sir.**  
6 Q. Okay. What about your education, where  
7 did you go to school?  
8 A. **Rolling Fork High School, a graduate of**  
9 **Rolling Fork High. Also I went to Moorhead**  
10 **Mississippi Delta Community College.**  
11 Q. And there at junior college or community  
12 college is that where you got your law enforcement  
13 training?  
14 A. **Yes, sir.**  
15 Q. Can you explain to me a little bit about  
16 what that training entailed?  
17 A. **It entails the constitutional laws. It**  
18 **tells you how to defend yourself. It tells me the**  
19 **different ways to make an arrest and it also tells**  
20 **me -- first aid and CPR.**  
21 Q. Okay. And can you tell me a little bit  
22 about any family you have here in the area, here  
23 in the Delta region?  
24 A. **I really don't have any family here.**  
25 Q. No parents, no brothers and sisters?

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1 A. My parents stays -- my mother stays in  
2 Rolling Fork. My father is deceased.  
3 Q. Siblings?  
4 A. My sister -- I got one brother in Dallas  
5 and one sister in Southaven.  
6 Q. Nieces and nephews, cousins, anything like  
7 that?  
8 A. Not staying here in Greenville.  
9 Q. What about the area?  
10 A. I got a son.  
11 Q. Okay.  
12 A. Stays here in Greenville.  
13 Q. All right. What is his name?  
14 A. [REDACTED]  
15 Q. But is he 18 years of age?  
16 A. No, sir.  
17 Q. Any other family over the age of 18 in the  
18 Greenville area?  
19 A. Greenville, no, sir.  
20 Q. Let me back up for just a second and tell  
21 me when you left the Washington County Sheriff's  
22 Department, was that your choice to leave?  
23 A. Yes, sir. In reference to a blessing that  
24 I have got to become second in charge of the  
25 department that in the future possibly can be

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1 chief.  
2 Q. So Leland approached you about coming  
3 there?  
4 A. Yes, sir.  
5 Q. Back when you were originally hired in --  
6 with Washington County Sheriff's Department, what  
7 year was that again?  
8 A. I was hired December the 20th of 2001.  
9 Q. Okay. And when you were hired, did you at  
10 any time receive a policy and procedures manual?  
11 A. Yes, sir. From the sheriff at that time,  
12 Victor Smith.  
13 Q. Okay. From the sheriff that was there  
14 then. And what year did that sheriff leave and  
15 another sheriff come in?  
16 A. I want to say 2004. I'm not real for  
17 sure.  
18 Q. 2004, 2005, something like that?  
19 A. Yes, sir.  
20 Q. All right. And at that time did you get  
21 an updated policy and procedures manual?  
22 A. Yes, sir.  
23 Q. Do you remember when that was that you  
24 got -- received that?  
25 A. No, sir.

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1 MR. DUNCAN: Scott, I'm just going to  
2 show him this at this point, and I think we can  
3 back reference it to the other ones rather than  
4 putting it in.  
5 MR. PHILLIPS: That's fine. He may  
6 or may not recognize them, but, yeah. Wait, wait.  
7 I got this thing right here if you want me to just  
8 have him look on.  
9 MR. DUNCAN: It's Exhibit 7.  
10 MR. PHILLIPS: Yeah, yeah. Let's do  
11 it that what way. I'm sorry.  
12 MR. DUNCAN: Or 6, I'm sorry. Or  
13 which went into effect -- 7 went into effect in  
14 '11.  
15 MR. PHILLIPS: Well, yeah.  
16 BY MR. DUNCAN:  
17 Q. Do you recognize that document in front of  
18 you, Jeffrey?  
19 A. Yes, sir. This is the paper we had to  
20 sign once we got the policy and procedure from the  
21 Sheriff Gaston.  
22 Q. So that was the one from Gaston?  
23 A. Yes, if I'm not mistaken. Yes, sir.  
24 Q. Okay. And let me ask you this: Did --  
25 with your position on the sheriff's department,

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1 were you supervising other officers?  
2 A. Yes, sir.  
3 Q. And when I say were you, backing up to  
4 when you were sergeant.  
5 A. Yes, sir.  
6 Q. Not after your promotion.  
7 A. Yes, sir.  
8 Q. Okay. So tell me a little bit about your  
9 day in and day out stuff when you were a sergeant  
10 with the Washington County Sheriff's Department.  
11 A. I was a shift supervisor over I think at  
12 that time I had five people maybe up under me.  
13 Also at the time sometime we would have dispatch  
14 up under us. They would come in and check the --  
15 check with the sergeant that left off for the  
16 other shift and talk to him and get assignments or  
17 did he have people out in different locations that  
18 need to be -- that needed to be relieved.  
19 Q. Okay. And you said you had four to five  
20 people under you, was that the same four to five  
21 people all the time?  
22 A. Yes, sir.  
23 Q. Who were those people?  
24 A. My shift changed so much. I had different  
25 people coming in and out. I can't remember. I

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1 know some of them.  
2 Q. Fair enough. But in your position, you  
3 did patrol; is that correct?  
4 A. Yes, sir.  
5 Q. And so you interacted with the citizens?  
6 A. The community, yes, sir.  
7 Q. The community. All right. And what were  
8 your duties when you were on patrol?  
9 A. Basically to supervise the gentlemen or  
10 the officers that was up under me and to make sure  
11 that the citizens of Washington County were safe.  
12 Q. But you would be dispatched out to  
13 locations; is that correct?  
14 A. Yes, sir.  
15 Q. And before coming here today, have you  
16 reviewed any files relating to Michael Prince?  
17 A. Only what I read -- what I wrote at the  
18 time of the --  
19 Q. The report that you --  
20 A. That I wrote, yes, sir.  
21 Q. All right. And that report has been  
22 turned over to your attorney; is that correct?  
23 A. Yes, sir.  
24 MR. DUNCAN: And it was provided to  
25 us?

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1 MR. PHILLIPS: Yeah, it's in the  
2 disclosure.  
3 Q. And other than that document, you hadn't  
4 reviewed any other documents relating to that  
5 incident?  
6 A. No, sir.  
7 Q. Have you talked with anybody about the  
8 incident?  
9 A. My attorney.  
10 Q. Okay. Other than your attorney, any of  
11 the other deputies or anything like that?  
12 A. No, sir.  
13 Q. Or the sheriff?  
14 A. No, sir.  
15 Q. So the one page that you actually produced  
16 is the only thing that you reviewed?  
17 A. Yes, sir. As far as paperwork, yes, sir.  
18 Q. You haven't reviewed my client's history  
19 or background or anything like that?  
20 A. No, sir.  
21 Q. Tell me as a sheriff's deputy in  
22 Washington County, y'all were required to abide by  
23 those policies and procedures that we just looked  
24 at; is that correct?  
25 A. Yes, sir.

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1 Q. And your job not only as a deputy but also  
2 as a supervising deputy is to make sure that  
3 yourself, as well as those that you're  
4 supervising, adhere and follow by those policies  
5 and procedures; is that correct?  
6 A. Yes, sir.  
7 Q. Do you know a person who was a deputy by  
8 the name of Marvin Marshall?  
9 A. Yes, sir.  
10 Q. And how do you know him?  
11 A. He's a deputy that was on another shift,  
12 and sometime my shift will cross over. On certain  
13 shift that we work, he was -- we probably work  
14 probably three hours together.  
15 Q. All right. Let me ask you this: Did your  
16 employment with Washington County Sheriff's  
17 Department start first or did his?  
18 A. Mine.  
19 Q. So you were here when he was hired?  
20 A. Yes, sir.  
21 Q. Did you have any involvement with his  
22 hiring?  
23 A. No, sir.  
24 Q. Did you know him prior to him coming on to  
25 the Washington County Sheriff's Department?

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1 A. No, sir.  
2 Q. So other than the three hours that y'all  
3 would work together, did y'all interact with each  
4 other outside --  
5 A. Yes, sir. I mean, as co-workers, yes, we  
6 did talk occasionally on phones or, you know, we  
7 might have Bible studies together or whatever,  
8 but, yes, sir.  
9 Q. And was that three-hour overlap that you  
10 were discussing --  
11 (Off the record.)  
12 BY MR. DUNCAN:  
13 Q. I should have said that earlier, at any  
14 point in time that you need to stop, just say I  
15 need to stop to use the restroom or whatever it  
16 might be. Okay?  
17 A. Yes, sir. Yes, sir.  
18 Q. And what I was asking is that three-hour  
19 overlap that you just described, was that a daily  
20 thing when y'all were working?  
21 A. No, it wasn't a daily thing. It would  
22 only depend on the shifts or days off.  
23 Q. Okay. All right. But it was a pretty  
24 regular occurrence?  
25 A. Well, once every two months.



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1 Q. So it was only one day out of two months?  
2 A. Well, I'm saying one shift every two  
3 months. It might -- depend on what my days off  
4 and his days off. Sometime -- if I'm working 4:00  
5 to 1:00, 4:00 p.m. to 1:00 a.m., they would come  
6 out at 10:00 and work 10:00 to 6:00 and that was  
7 the overlapping shift. And if his two days were  
8 different from my two days, that mean we only work  
9 one day. It just depends on how the days off  
10 fell, my days off and his days off.  
11 Q. Sometimes you took vacation and sometimes  
12 he took vacation?  
13 A. Yes, sir.  
14 Q. Fair enough. I understand that. And what  
15 about Deputy Mack White, do you know him?  
16 A. I knew him prior to coming to Washington  
17 County, and he worked at Greenville Police  
18 Department with me.  
19 Q. So you worked with the Greenville Police  
20 Department prior to that?  
21 A. Yes, sir.  
22 Q. And you and Mr. White were on the  
23 Greenville PD together?  
24 A. Yes, sir, for a brief time. Because by  
25 the time he got hired over there, I was leaving.

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1 Q. Coming to here.  
2 A. Coming to SO, yes, sir.  
3 Q. Prior to -- and this is backing up some  
4 again. But other than your time now with Leland,  
5 your time with the Washington County Sheriff's  
6 Department, your time with the Greenville Police  
7 Department, do you have any other law enforcement  
8 experience?  
9 A. Yes, sir. I had a year and a half in  
10 dispatching at Sharkey County Sheriff's Department  
11 and also about a year and a half as a deputy there  
12 at Sharkey SO back in 19 -- I started in  
13 dispatching probably 1995.  
14 Q. So you were there like '95 to --  
15 A. '96, '97.  
16 Q. '96, '97?  
17 A. Yes.  
18 Q. And then you went from there to  
19 Greenville?  
20 A. Well, I got out of law enforcement for  
21 about a year and a half and I got back in law  
22 enforcement in '98, July of '98, when I got back  
23 in law enforcement at Greenville PD.  
24 Q. Anything in particular that made you get  
25 out of law enforcement?

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1 A. Well, I injured myself. So I went to EMT  
2 school and got certified as an EMT over there at  
3 Mississippi Delta and worked for an ambulance  
4 service.  
5 Q. Good deal. Any of your leaving, whether  
6 it be from the Sharkey Sheriff's Department,  
7 Greenville Police Department, we have addressed  
8 but we will include, Washington County Sheriff's  
9 Department, all those you weren't terminated on  
10 any of them?  
11 A. No, sir. No, sir.  
12 Q. You left voluntarily?  
13 A. Yes, sir.  
14 Q. Were the terms that you left under good  
15 terms?  
16 A. It was good terms, yes, sir.  
17 Q. All right. And so you came to the  
18 Washington County Sheriff's Department again  
19 before Mr. White did?  
20 A. Yes, sir.  
21 Q. And similar to the question I asked you  
22 about Mr. Marshall, were you involved at all in  
23 his coming over here to the sheriff's department?  
24 A. No, sir, I -- I didn't have nothing to do  
25 with the interviews or anything. No, sir.

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1 Q. So you had nothing to do with the hiring  
2 process?  
3 A. No, sir.  
4 Q. I want to go through a few things and just  
5 ask you to put some of these words that I'm going  
6 to ask you, I want you to define them in your own  
7 way. Okay?  
8 A. Yes, sir.  
9 Q. Can you tell me what it means to use --  
10 when I say use of force?  
11 MR. PHILLIPS: Object to the form.  
12 Q. Could you tell me what training --  
13 MR. PHILLIPS: You want him to answer  
14 it?  
15 Q. Yeah. Go ahead and answer.  
16 A. Use of force means it can go to deadly  
17 force or just whatever that takes above the norm  
18 to make an arrest or to subdue a person.  
19 Q. Okay.  
20 A. And that can go to use of mace or baton,  
21 just different stages that we have.  
22 Q. Well, let me ask you that since you  
23 specifically refer to those two things. In your  
24 training with the Washington County Sheriff's  
25 Department, were you trained on how to use mace?

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1 **A. Yes. At the police academy, yes, sir.**  
2 Q. So at the police academy?  
3 **A. Yes.**  
4 Q. Not at the sheriff's department?  
5 **A. No. You get that training at the police**  
6 **academy.**  
7 Q. What about the use of baton?  
8 **A. At the police academy.**  
9 Q. And were both the use of baton and the use  
10 of mace allowed under the policies and procedures  
11 of the Washington County Sheriff's Department?  
12 **A. Yes, sir.**  
13 Q. So you carried a baton with you?  
14 **A. No, sir.**  
15 Q. Did you carry mace with you?  
16 **A. No, sir.**  
17 Q. But had you wanted to provide your own --  
18 **A. Oh, they would have provided it, but I**  
19 **just didn't.**  
20 Q. But under the policies and procedures it  
21 would have been an okay avenue for you to use?  
22 **A. Yes, sir, due to I was certified with**  
23 **those items.**  
24 Q. And if you could, define for me the term  
25 excessive force.

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1 **MR. PHILLIPS: Object to the form.**  
2 Q. Go ahead and answer.  
3 **A. To excessively due bodily harm to a person**  
4 **that is not necessary.**  
5 Q. And during your time with the Washington  
6 County Sheriff's Department, did you ever use  
7 excessive force against someone?  
8 **A. I have never been alleged to have used**  
9 **excessive force, no.**  
10 Q. In your opinion would -- have you ever  
11 seen another -- another deputy use excessive  
12 force?  
13 **A. I can't answer that because I don't know**  
14 **what they call excessive force, but I have never**  
15 **been alleged in one.**  
16 Q. Fair enough. And talking about the  
17 policies and procedures manual, are you aware that  
18 there is or is not a use of force policy in place?  
19 **MR. PHILLIPS: Object to the form.**  
20 **A. There was a brief one in Sheriff Gaston,**  
21 **but I can't remember. Like I say, I'm trying to**  
22 **learn a whole other policy and procedure.**  
23 Q. You're dealing with your own now trying  
24 to --  
25 **A. Trying to make one.**

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1 Q. Trying to make sure Leland has got one in  
2 place.  
3 **A. Yes, sir.**  
4 Q. I understand. Define for me reasonable  
5 suspicion.  
6 **MR. PHILLIPS: Object to the form.**  
7 **A. Reasonable suspicion is anything that you**  
8 **have an idea of that a crime has been committed.**  
9 Q. Okay. What about probable cause?  
10 **MR. PHILLIPS: Object to the form.**  
11 **A. Probable cause is a reason to know that a**  
12 **crime has been committed.**  
13 Q. Okay. And to you what does it mean when  
14 you place somebody under arrest?  
15 **A. Is to detain them and take their freedom**  
16 **from them.**  
17 Q. And would you agree with me that there is  
18 a difference between what a detainee is and what  
19 an arrestee is?  
20 **A. Yes, sir.**  
21 Q. Okay. And explain the difference to me.  
22 **A. Well, a detainee he has the right to leave**  
23 **at any time. Even if you detain him, if you don't**  
24 **have a reason to arrest him, he has the right to**  
25 **walk out and tell you he don't want to talk to**

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1 **you. Arrestee is that you have arrested him and**  
2 **he can't leave.**  
3 Q. Can you handcuff a detainee?  
4 **A. For safety reasons, yes, but you have to**  
5 **explain to him that he's not being arrested. He's**  
6 **just only being detained for safety purpose.**  
7 Q. Okay. All right. We talked about use of  
8 force and excessive force, but what would -- to  
9 you what would be reasonable force?  
10 **MR. PHILLIPS: Object to the form.**  
11 **A. It's just a minimum amount of force needed**  
12 **to make an effective arrest.**  
13 Q. Okay. And in police lingo y'all use some  
14 codes and stuff, right?  
15 **A. Yes, sir.**  
16 Q. Can you tell me what a 10-23 is?  
17 **A. It's different with everybody.**  
18 Q. When you were at the Washington County  
19 Sheriff's Department, what was a 10-23?  
20 **A. On scene.**  
21 Q. So that means that you're calling in to  
22 dispatch and letting --  
23 **A. That you're on scene.**  
24 Q. And let them and everybody else know with  
25 the sheriff's department that you're on scene at a

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1 location?  
2 A. Yes, sir.  
3 MR. PHILLIPS: Jeffrey, let him  
4 finish asking his -- let him finish asking.  
5 THE WITNESS: Okay.  
6 MR. PHILLIPS: Before you answer.  
7 Okay?  
8 THE WITNESS: Yes, sir.  
9 BY MR. DUNCAN:  
10 Q. Thank you. And when you were with the  
11 Washington County Sheriff's Department, what was a  
12 10-8?  
13 A. Mean in service for calls.  
14 Q. So that's after you would leave a location  
15 you would say, I'm 10-8, I'm back patrolling?  
16 A. Yes, sir. Or even when you first get in  
17 service for today, for that day.  
18 Q. So when you come on your shift and get in  
19 your car, you're 10-8, leaving the station?  
20 A. Yeah.  
21 Q. And when you were with the sheriff's  
22 department, did you have a local area that you  
23 patrolled, or were you county-wide, north only,  
24 south only, east only, west only?  
25 A. At the time of the incident, I was a

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1 roamer because I was a supervisor.  
2 Q. So in March of 2012, you were a roamer?  
3 A. Yes, sir. I was a supervisor.  
4 Q. You went wherever the dispatch told you?  
5 A. Yes, sir.  
6 Q. Or you could go any part of the county?  
7 A. Yes, sir.  
8 Q. All right. In your opinion is the  
9 striking of an arrestee or detainee in the head,  
10 would that be excessive force?  
11 MR. PHILLIPS: Object to the form.  
12 A. Yes.  
13 Q. Okay. In any way?  
14 A. Sir?  
15 Q. In any way?  
16 MR. PHILLIPS: Object to the form.  
17 A. I'm not going to say -- yes, sir. Yes,  
18 sir.  
19 Q. All right. Tell me when you were with the  
20 sheriff's department under y'all's policies and  
21 procedures, under what situations were y'all  
22 authorized to activate y'all's emergency lights?  
23 A. The policy changed that really you  
24 couldn't without getting permission from the  
25 supervisor.

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1 Q. Okay. Even you as a sergeant at the time  
2 you had to get permission?  
3 A. Well, not -- I didn't have to, but I had  
4 to know the situation, the totality of the call  
5 and the emergency part of the call of -- that I  
6 was being responded to, that I was being  
7 dispatched to.  
8 Q. So you gathered information?  
9 A. Yes, sir.  
10 Q. Before making that determination?  
11 A. Yes, sir.  
12 Q. Where would you gather that information  
13 from?  
14 A. From the dispatcher.  
15 Q. Okay. And was that a communication  
16 between just you and dispatch or was that all  
17 through all the cars?  
18 A. That was just through all the cars.  
19 Q. Okay. So dispatch would call out to every  
20 vehicle, tell them the circumstances of what was  
21 happening; is that correct?  
22 A. No, sir. She would dispatch certain units  
23 to certain locations.  
24 Q. Okay. And she would tell you, y'all go  
25 here and have your blues on?

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1 A. No, sir. No, sir. She would dispatch you  
2 to say a wreck. A wreck on 82, multiple injuries,  
3 roadblock. That's what she would say and  
4 ambulance en route, rescue en route. She would  
5 tell you those type, but she couldn't tell you  
6 when to run your lights and sirens.  
7 Q. So it was a determination left up to the  
8 officers?  
9 A. Well, basically the supervisor. That's  
10 what the policy and procedure says.  
11 Q. So the policy and procedure said that no  
12 patrolman turns their lights on unless the  
13 supervisor based on what dispatch says makes the  
14 call?  
15 A. Basically that's what it says, yes, sir.  
16 Q. All right. Other than being handed the  
17 manual that we have just talked about -- and for  
18 reference it's Exhibit 6 to prior depositions. Is  
19 that fine?  
20 MR. PHILLIPS: Yes.  
21 Q. Other than receiving that manual, did you  
22 have any classroom or meetings within the  
23 sheriff's department about the policies and stuff?  
24 A. Yes, sir. Yes, sir.  
25 Q. Did y'all have -- was that on a schedule?



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1 I mean, did you do it once a month, quarterly?  
2 **A. Yes, sir. Just quarterly. Sometimes just**  
3 **when the sheriff felt that we needed some more**  
4 **training or he wanted to have a meeting about**  
5 **things.**  
6 Q. And when you say he would decide  
7 that y'all -- he wanted to have more training, did  
8 officers with the department do it or did he have  
9 outside people come in and do training?  
10 **A. He did it himself, but it was basically**  
11 **like a meeting.**  
12 Q. So it was in a meeting setting?  
13 **A. Setting, yes, sir.**  
14 Q. Would that be department-wide or --  
15 **A. Yes, sir.**  
16 Q. -- did y'all come in in groups?  
17 **A. No, department-wide.**  
18 Q. All right. And again it's communicated to  
19 you there as far as your policies and procedures  
20 when you sign on you're given that and then you  
21 have some meetings that just update it and that  
22 sort of stuff; is that correct?  
23 **A. Yes, sir. Yes, sir.**  
24 Q. And at different times did y'all have  
25 memos that you're supposed to add to your

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1 policies?  
2 **A. Yes, sir.**  
3 Q. And how did that happen?  
4 **A. You had to sign for it and then you --**  
5 **they tell you to add it to your book.**  
6 Q. That's under Sheriff Gaston.  
7 **A. Yes, sir.**  
8 Q. Is that the way it was under the prior  
9 sheriff as well?  
10 **A. I didn't work under him that long.**  
11 Q. So you can't remember?  
12 **A. I can't remember.**  
13 Q. Did you keep any of the memos that you got  
14 and that sort of stuff?  
15 **A. Now? No, sir, I put them all in my book.**  
16 Q. So you had a book that you kept?  
17 **A. Yes, sir.**  
18 Q. Where is that book now?  
19 **A. I turned it back in to Washington County**  
20 **Sheriff's Department.**  
21 Q. So you had a book that had all your memos,  
22 all your policies and procedures and all that sort  
23 of stuff and you have given it to the sheriff's  
24 department?  
25 **A. Back, yes, sir.**

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1 **MR. DUNCAN:** Is that included in our  
2 disclosures that I got?  
3 **MR. PHILLIPS:** I think.  
4 **A. I mean, that was part of your stuff you**  
5 **had to turn it back in.**  
6 **MR. PHILLIPS:** There are memos  
7 attached to the end of this policies and  
8 procedures. Whether that's all of them, this is  
9 what I was given.  
10 **MR. DUNCAN:** That's what you got.  
11 Okay. Fair enough.  
12 **BY MR. DUNCAN:**  
13 Q. To your knowledge, Jeffrey, have Mr. White  
14 or Mr. Marshall ever been investigated for use of  
15 excessive force?  
16 **A. Not to my knowledge, no, sir.**  
17 Q. And you have already stated it, but just  
18 to make sure, you have never been investigated for  
19 it?  
20 **A. No, sir.**  
21 Q. Okay. All right. To the best of your  
22 knowledge, were all the people that were under  
23 your supervision aware of the use of force policy  
24 that was in place?  
25 **A. Yes, sir, to my -- to the best of my**

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1 **knowledge.**  
2 Q. Did you ever talk with them about it  
3 individually as their supervisor?  
4 **A. Yes, sir, sometime.**  
5 Q. And what kind of stuff would you tell  
6 them?  
7 **A. I mean, just -- I would tell them about**  
8 **lawsuits and use of force and then tell them to go**  
9 **back to their academy training.**  
10 Q. In your time with the Washington County  
11 Sheriff's Department, was there a policy in place  
12 that said if there was a claim of excessive force  
13 what you as the officers were supposed to do as  
14 far as reporting it?  
15 **A. Supposed to do a report, I know that.**  
16 Q. Did that mean that all of the officers  
17 involved were supposed to do a report if there was  
18 a --  
19 **A. Yes, sir. If there was I guess you would**  
20 **call it a claim made.**  
21 Q. Okay. And were you under a duty as well  
22 to report anything if you saw any of that?  
23 **A. Yes, sir. Yes, sir.**  
24 Q. And was there a time frame of when you're  
25 supposed to document that sort of stuff?

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1 A. I mean, if you -- something that you had  
2 to document, you had to document it right then.  
3 Q. Okay. And how was it documented? Did  
4 y'all have a form or did you just write it out --  
5 A. Offense report.  
6 Q. Just offense -- just a generic --  
7 A. Yes.  
8 Q. -- offense report. Y'all didn't have a  
9 special form for excessive force or anything like  
10 that?  
11 A. No, sir. No, sir.  
12 Q. Or when a detainee or arrestee was  
13 injured, y'all didn't have a special report on  
14 that?  
15 A. No, sir. Not one that I can remember.  
16 Q. Fair enough. And you have already said  
17 that you were -- at your time with the sheriff's  
18 department you were authorized to use a baton, you  
19 were authorized to use mace, correct?  
20 A. Through my training, yes, sir. It wasn't  
21 something that the sheriff's department directly  
22 told us, but through my police academy training I  
23 was.  
24 Q. But you were told you could not use mace  
25 or could not use baton through the sheriff's

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1 department?  
2 A. No, sir. No, sir.  
3 Q. What about a flashlight, were you told you  
4 could use a flashlight?  
5 A. Yeah, to see, yes, sir.  
6 Q. Were you issued a flashlight by the  
7 sheriff's department?  
8 A. Most cars had flashlights.  
9 Q. Okay. So were they the type of  
10 flashlights that were in the car and had a  
11 charging unit in the car?  
12 A. Yes, sir. Yes, sir.  
13 Q. What type of flashlight was that?  
14 A. Some were Maglites. Some was -- what is  
15 the other brand? I can't think of the other  
16 brand. It was Maglites and -- I can't think of  
17 the other one. But I had my own Stinger, little  
18 Stinger. It's called a Stinger light.  
19 Q. So you carried a Stinger, your personal  
20 Stinger with you?  
21 A. Yes, sir.  
22 Q. But if you needed to, say you forgot your  
23 Stinger, was your car equipped with a Maglite?  
24 A. No.  
25 Q. But some of the cars were?

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1 A. Some of them, yes, sir.  
2 Q. What about a slap stick, did y'all have  
3 slap sticks?  
4 A. No, sir. No, sir.  
5 Q. And again if you were to have witnessed an  
6 officer doing something, any type of criminal  
7 activity, you were required to report that?  
8 A. Yes, sir.  
9 Q. Did you ever report any officer?  
10 A. I have wrote -- I think I wrote one  
11 officer up. I can't remember. I think I did. I  
12 don't think -- no, it wasn't for excessive force,  
13 no, sir.  
14 Q. In any type of criminal activity?  
15 A. No, sir. Never wrote them up.  
16 Q. And often times when y'all go out on a  
17 call, they will be five, six, seven deputies; is  
18 that correct?  
19 A. No, sir.  
20 Q. Three, four?  
21 A. Two to three maybe.  
22 Q. Two to three maybe. Okay. And if, for  
23 instance, an arrest is made and there's three of  
24 y'all on the scene, does each person do a report  
25 or was it the person that actually --

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1 A. That actually did -- the person that did  
2 the arrest and the person that -- if that's two  
3 different people, the person that did the arrest  
4 and the person that took the initial call, it just  
5 depends.  
6 Q. Okay. Fair enough. And did y'all in  
7 y'all's policy and procedures have a standard way  
8 of reporting when -- or, excuse me, what steps  
9 would y'all take in reporting? You just did the  
10 form and turned it in?  
11 A. Yes, sir. You wrote it up, turned it in,  
12 and dispatch typed it.  
13 Q. Okay. And you reviewed it for accuracy  
14 I'm assuming?  
15 A. Well, yes, sir. You do -- everybody could  
16 see your report.  
17 Q. Okay. How do you mean everybody could see  
18 it?  
19 A. Whatever deputy -- whatever deputy came in  
20 for that shift, your reports were left out there  
21 so they could see it. So they'll know what is  
22 going on, what had happened that day.  
23 Q. Okay. And was it supervised? I mean, did  
24 you have to turn them in to a higher ranking  
25 officer to let them review it and sign off on it

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1 or --  
2 A. Sometime we would review them and sometime  
3 we would just let them go ahead and turn it in.  
4 Q. Okay. With your time with the Washington  
5 County Sheriff's Department, did you ever see  
6 Mr. White or Mr. Marshall with or carrying a  
7 baton?  
8 A. No, sir.  
9 Q. What about mace?  
10 A. I think Mr. Marshall carried mace on his  
11 belt.  
12 Q. Okay. All right. Flashlights, did you  
13 ever see their cars? Could you give your -- could  
14 you give any type of testimony about what --  
15 A. No, sir.  
16 Q. What their cars were equipped with and  
17 were not?  
18 A. No, sir.  
19 Q. To your knowledge did they have personal  
20 Stingers?  
21 A. I think -- I think Lieutenant -- well,  
22 Sergeant White at the time did.  
23 Q. All right. Is that a common flashlight  
24 for police officers to use?  
25 A. Yes, sir.

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1 Q. Can you tell me about how big it is?  
2 A. It's about that long (indicating). It's  
3 just an LED -- well, now they're LEDs, about that  
4 long. They ain't very long.  
5 Q. About 10 inches?  
6 A. Yeah, probably.  
7 Q. All right. Prior to -- or not even prior  
8 to, did you talk with Mr. Prince on the night of  
9 March the 16th of 2012, late hours of that date  
10 and early hours of March the 17th, 2012?  
11 A. No, sir.  
12 Q. So you had no communication with him  
13 whatsoever?  
14 A. No, sir.  
15 Q. Prior to that?  
16 A. No, sir.  
17 Q. Subsequent to that?  
18 A. No, sir. Never met him in my life.  
19 Q. Never met him?  
20 A. No, sir.  
21 Q. Never talked with him?  
22 A. No, sir.  
23 Q. Did you see him that night?  
24 A. I saw him when I gave -- briefly in the  
25 dark when I gave Lieutenant -- well, Sergeant

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1 White at the time my handcuffs to place on him.  
2 Q. All right. We are going to get to that in  
3 a minute. The trailer park where this happened,  
4 what was it called?  
5 A. Pearson Trailer Park.  
6 Q. And where is it located?  
7 A. 25 -- you got 2587 Old Leland Road and  
8 2588. It's on different sides of the road, but  
9 both of them are called Pearson Trailer Park.  
10 Q. Okay. Now, I would ask you to take a look  
11 at that.  
12 A. Yes, sir.  
13 Q. That's an aerial photo of what I believe  
14 to be that location. Would you agree with that?  
15 A. Yes, sir.  
16 MR. DUNCAN: Mark that as Exhibit 2.  
17 (Whereupon, the above-mentioned  
18 document was marked as Exhibit No. 2.)  
19 Q. We are going to use that in a minute.  
20 Prior to that night, again late hours of March  
21 the 16th, early hours of March the 17th of 2012,  
22 had you ever responded to that location?  
23 A. Yes, sir.  
24 Q. How many times?  
25 A. I can't tell you. I can't even imagine to

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1 start to guess how many times. Well, we had calls  
2 out there frequently.  
3 Q. More than ten?  
4 A. What are you talking about, in what time  
5 span?  
6 Q. Your time with the sheriff's department.  
7 A. Oh, yes, sir.  
8 Q. Okay. Just back it up to say a six-month  
9 window of time. Do you think you had gone there  
10 ten times in the prior six months?  
11 A. Yes, sir.  
12 Q. Is it fair to say that you regularly went  
13 there, not just yourself, but the Washington  
14 County Sheriff's Department?  
15 A. Yes, sir.  
16 Q. What type of calls did y'all go out there  
17 on?  
18 A. It's different. Burglaries, disturbance,  
19 kids standing in the street, loud music, dog  
20 calls, and all kinds of calls there.  
21 Q. Did you happen to ever have any contact  
22 with the trailer park manager there?  
23 A. Yes, sir.  
24 Q. Okay. And who would that be?  
25 A. Ms. Bobbie White at that time.

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1 Q. And what were your interactions with her?  
2 A. **I mean, sometimes she would be the one to**  
3 **call. Just whatever the situation was at the**  
4 **time. It depends.**  
5 Q. But she didn't call you directly, right,  
6 she would call dispatch?  
7 A. **Yeah, she would call dispatch. Not me,**  
8 **no, sir.**  
9 Q. So you had occasion to respond when she  
10 had called?  
11 A. **Yes, sir.**  
12 Q. What kind of complaints was she making?  
13 A. **Loud music, unwanted guests, people**  
14 **stealing out of their trailers once they move.**  
15 Q. I understand your testimony that y'all  
16 went out there a whole lot. Did y'all make a lot  
17 of arrests when y'all went out there?  
18 A. **Well, we made some. I wouldn't say a**  
19 **whole lot, but we made some.**  
20 Q. Prior to the night in question, again  
21 March 16, 2012, had anybody made any complaints to  
22 you about things that were happening at the  
23 trailer park?  
24 A. **I might have been out there earlier that**  
25 **day on a call. I can't remember.**

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1 Q. Had anybody ever talked with you about  
2 altercations between citizens out there and the  
3 sheriff's department?  
4 A. **Between citizens and sheriff's department?**  
5 **No, sir. No, sir.**  
6 Q. Okay. Had anybody ever talked with you  
7 about contacting the sheriff's department  
8 regarding the way the deputies were acting?  
9 A. **No, sir. Not to me.**  
10 Q. Towards the citizens.  
11 A. **No, sir.**  
12 Q. Okay. Not to you. To your knowledge do  
13 you know if anybody at the trailer park contacted  
14 the sheriff's department about the way the  
15 sheriff's deputies were --  
16 A. **I mean, that's natural. That's -- you're**  
17 **going to get complaints regardless of whether**  
18 **you're doing right or wrong if they don't like**  
19 **what you do. I mean, if you're upholding the law**  
20 **and they think that they're above the law, they're**  
21 **going to complain. That's just -- I mean, that's**  
22 **just the way it goes.**  
23 Q. So you do know of complaints?  
24 A. **I don't know none directly, no. But I'm**  
25 **pretty sure there was.**

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1 Q. All right. But you personally did not  
2 have a conversation with anybody regarding the --  
3 A. **No, sir.**  
4 Q. Any deputies' conduct there at the trailer  
5 park?  
6 A. **No, sir.**  
7 Q. Tell me -- let's go -- on that night where  
8 were you when the call came in to dispatch?  
9 A. **Sir, I really can't -- I don't know. I**  
10 **mean, I have been on probably three or four**  
11 **hundred more calls since then.**  
12 Q. And you did a report. Does that report  
13 tell you anything about that?  
14 A. **No, sir.**  
15 Q. But you did have an occasion to go there  
16 on the night of March 16, 2012?  
17 A. **Yes, sir.**  
18 Q. Okay. Is this one of the situations where  
19 you had your blue lights on?  
20 A. **No, sir.**  
21 Q. Were you the first officer to respond?  
22 A. **I think me and Marshall -- Deputy Marshall**  
23 **got there around the same time from different**  
24 **locations, but I can't remember, sir. I don't**  
25 **know whether I was the first one or the second**

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1 **one.**  
2 Q. Fair to say that you were either the first  
3 or the second?  
4 A. **Yes, sir.**  
5 Q. And how many other officers arrived out  
6 there that night?  
7 A. **Eventually probably two to three more.**  
8 Q. Other than yourself?  
9 A. **And Marshall.**  
10 Q. And Marshall.  
11 A. **Yes, sir.**  
12 Q. Okay. Would one of them be Mr. White?  
13 A. **Yes, sir.**  
14 Q. Who would the others be?  
15 A. **Sir, I -- I can't remember. Like I say,**  
16 **I've got a lot going on in Leland. A lot -- it's**  
17 **not anything the sheriff's department did to me,**  
18 **but I just leave that there so I can concentrate**  
19 **on what I have in --**  
20 Q. Cartilage ring a bell?  
21 A. **He might have come out there. I think he**  
22 **did. I'm not for sure, sir.**  
23 Q. Okay. And what time did the call happen?  
24 A. **About 11 o'clock, 11:00 p.m.**  
25 Q. All right. Do you recall the nature of

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1 what dispatch told y'all?  
2 **A. It was in reference to a disturbance**  
3 **between neighbors.**  
4 Q. Okay. Disturbance. All right. And you  
5 said the call came in around 11 o'clock. You and  
6 Marshall were the first two to get there?  
7 **A. Yes, sir.**  
8 Q. Tell me what y'all did.  
9 **A. We responded to the location that we got**  
10 **to -- that we were dispatched to. And we made**  
11 **contact with several people. And then they said**  
12 **that one party had ran in the woods I believe, if**  
13 **I'm not mistaken. And that the suspect, one of**  
14 **the people that was -- I am not going to say**  
15 **suspect. One of the people that was involved in**  
16 **the disturbance had ran out in the woods. I could**  
17 **hear somebody out there, and I went to the edge of**  
18 **the fence to try to locate and see.**  
19 Q. All right. When you were dispatched, were  
20 you dispatched to a particular trailer or just to  
21 the trailer park?  
22 **A. I want to say we were just -- I want to**  
23 **say we were dispatched to a particular trailer.**  
24 **There was a lot number out there.**  
25 Q. Do you remember which one it was?

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1 **A. Lot 24, that's what I wrote in my report.**  
2 Q. Looking at this map, can you tell me where  
3 Lot 24 is?  
4 **A. Coming off -- let's see, somewhere up in**  
5 **here. I don't know. Because this --**  
6 Q. So it was on the south side of Old Leland  
7 Road?  
8 **A. Of the trailer park, yes, sir. It was on**  
9 **the south side of Old Leland Road on the south**  
10 **side of the trailer park, if I remember right.**  
11 Q. Okay. And you're not sure which one it  
12 was?  
13 **A. No, sir.**  
14 Q. Okay. On this exhibit, on Exhibit 2 that  
15 you're looking at, previously there has been a  
16 line drawn. Do you see this line?  
17 **A. Yes, sir.**  
18 Q. Is that where the fence is located that  
19 you're talking about?  
20 **A. Yes, sir.**  
21 Q. So you heard a suspect, correct?  
22 **A. I heard something in the woods.**  
23 Q. Okay. You heard something.  
24 **A. Yes, sir.**  
25 Q. And you went over there to investigate; is

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1 that correct?  
2 **A. Yes, sir.**  
3 Q. Could you please make an asterisk of the  
4 location of where you think it was.  
5 **A. Because I can't -- I don't know exactly**  
6 **where the trailer is at. It was -- if that's**  
7 **Raceway, it was -- estimated somewhere up in here**  
8 **(indicating).**  
9 Q. Okay. All right.  
10 **A. I'm not for sure. Like I say, I don't**  
11 **even know where the trailer is that I went to**  
12 **exactly.**  
13 Q. Understood. And so you heard some  
14 rustling of some leaves and that sort of thing?  
15 **A. Yes. Some tree limbs breaking.**  
16 Q. And what did you do at that point in time?  
17 **A. I think we finished talking to the people,**  
18 **and while we was out there, a shot was fired.**  
19 Q. Okay.  
20 **A. And that's when we went towards -- that's**  
21 **when I got on the radio and called for some more**  
22 **units out there.**  
23 Q. So you heard shots fired?  
24 **A. I heard a shot, yes, sir.**  
25 Q. You heard a shot, a single shot?

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1 **A. Yes, sir.**  
2 Q. Okay. What -- since you don't know which  
3 trailer it was, do you know where you had stopped  
4 your vehicle that night?  
5 **A. Sir, no, sir. Somewhere up in here. I**  
6 **don't know. Somewhere in the middle of the**  
7 **trailer park.**  
8 Q. In the common drive that separates the two  
9 rows of trailers?  
10 **A. Yes, sir.**  
11 Q. Is where you had parked your car?  
12 **A. Somewhere in there, yes, sir.**  
13 Q. And is that where you had talked to the  
14 individual you just described, or were you going  
15 from door to door talking to people?  
16 **A. Well, just somewhere in there was where I**  
17 **made contact with the person that called the**  
18 **sheriff's department.**  
19 Q. And who was that?  
20 **A. Sir, I don't know because Deputy Marshall**  
21 **took the original report.**  
22 Q. Why was it that Deputy Marshall did it  
23 rather than you?  
24 **A. I mean, he was the original one**  
25 **dispatched, I believe, and plus I was the**



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1 supervisor.  
2 Q. Okay. So --  
3 A. Most of the time he's the type of deputy  
4 that don't want the supervisor to do too much.  
5 You know, he will do the report.  
6 Q. So it had -- didn't have anything to do  
7 with your rank. You didn't order him to do that  
8 or anything like that?  
9 A. No, sir. No, sir.  
10 Q. Is it fair to say that this direction is  
11 south, this direction is north?  
12 A. Yes, sir.  
13 Q. This is east and this is west?  
14 A. Yes, sir.  
15 Q. From your location I know it wasn't -- you  
16 don't have an exact location, but you were  
17 somewhere in this common drive area?  
18 A. Uh-huh.  
19 Q. What directions was the single shot that  
20 you heard fired?  
21 A. Southeast from where I was standing.  
22 Q. Southeast from where you were standing, so  
23 that would be this direction?  
24 A. Somewhere in that direction, yes, sir.  
25 Q. I know you're trained in firearms,

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1 correct?  
2 A. I'm not an expert in firearms, no, sir. I  
3 was trained to carry one, yes, sir.  
4 Q. Are you familiar with the different sounds  
5 that firearms make?  
6 A. I'm not an expert, no, sir.  
7 Q. So you wouldn't be able to tell the  
8 difference between, say, a shotgun and a pistol?  
9 A. Yes, sir.  
10 Q. Based on your knowledge, what type of  
11 weapon --  
12 A. Sound like a handgun.  
13 Q. If you could, again I know you don't know  
14 exactly where you were, put a square, a green  
15 square, in the location of where you think the  
16 shot came from.  
17 A. Southeast, so somewhere up in here  
18 (indicating). That's just an estimate.  
19 Q. Okay. And when you heard the single shot,  
20 it was just you and Deputy Marshall there?  
21 A. Yes, sir.  
22 Q. All right. What did y'all do when y'all  
23 heard the shot?  
24 A. I called for some more units because I  
25 didn't know because of the safety of the citizens

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1 in the trailer park.  
2 Q. Is it possible that what you heard was a  
3 car backfiring?  
4 MR. PHILLIPS: Object to the form.  
5 A. No, sir. It wasn't no -- I didn't see any  
6 vehicles at the time.  
7 Q. Well, you couldn't see --  
8 A. I couldn't see there. No, sir, I don't  
9 know.  
10 Q. Firecracker, could it have been a  
11 firecracker?  
12 MR. PHILLIPS: Object to the form.  
13 A. I don't know.  
14 Q. All right. So you called dispatch. What  
15 did Marshall do?  
16 A. I think he went towards the fence line  
17 also, me and him both.  
18 Q. Tell me about what y'all did once you got  
19 to the fence line.  
20 A. We started looking -- we was getting ready  
21 to go out there, then we heard another disturbance  
22 out there in the area where we were -- where we  
23 had just left from, and that's when we went back  
24 to the disturbance.  
25 Q. In the common drive area?

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1 A. Yes, sir.  
2 Q. What type of disturbance was that?  
3 A. It was just some people yelling and  
4 screaming.  
5 Q. Okay. From the time that you got there to  
6 the time that you first went to the fence line,  
7 how long had y'all been out there talking with the  
8 people?  
9 A. I can't remember.  
10 Q. How long were you at the fence when this  
11 second disturbance occurred?  
12 A. I can't recall exactly how long or  
13 estimated time either.  
14 Q. Did this second disturbance occur like  
15 right there in front of y'all's police cars?  
16 A. Somewhere in the common drive somewhere.  
17 I couldn't -- because we was on the back side of  
18 the trailers then. This happened in the common --  
19 so if we was back here close to the fence and the  
20 disturbance happened somewhere over there. We  
21 went to a trailer house over there somewhere in  
22 this area on the north side.  
23 Q. So y'all just forgot about the gunshot for  
24 the time being?  
25 A. Well, the gunshot hadn't happened yet. I

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1 think we was -- the gunshot didn't start until --  
2 I can't -- I think it started --  
3 Q. Y'all wouldn't have been over there at the  
4 fence if the gun had not happened; is that  
5 correct?  
6 MR. PHILLIPS: Object to the form.  
7 A. Yes, sir. You're correct, I think. Yes,  
8 sir.  
9 Q. So you hear a gunshot, go to the fence,  
10 then hear people -- so you're saying disturbance,  
11 were they hollering?  
12 A. Yelling and screaming and cursing, yes,  
13 sir.  
14 Q. And y'all go back and y'all just --  
15 A. Separate them, yes, sir.  
16 Q. Leave the gunshot alone for the time  
17 being?  
18 A. Yes, sir.  
19 Q. Based on your experience with the  
20 sheriff's department when you place that phone  
21 call into dispatch or that radio transmission into  
22 dispatch and ask for assistance to get those other  
23 officers, would that have been an emergency  
24 situation they all would be coming with their  
25 blues on?

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1 A. I ain't going to say, but that's up to  
2 them. I mean, that's up to -- I can't say what  
3 they came there with. I mean, that was not a shot  
4 person so, no, sir, probably not.  
5 Q. Okay. All right. Fair enough. And so  
6 you disband the people that were there in the  
7 common area causing the ruckus; is that right?  
8 A. Yes, sir. I think we made an arrest also.  
9 Q. Do you know who it was you arrested?  
10 A. No, sir. I can't -- it was somebody with  
11 a warrant.  
12 Q. Somebody that had a warrant. All right.  
13 And you said that Mr. Marshall made contact with  
14 the person that called in. Were you there with  
15 him when he was talking to that person?  
16 A. Yes, sir, I was there for backup.  
17 Q. Do you have any conversation with them?  
18 Could you hear their conversation?  
19 A. I don't remember the conversation.  
20 Q. And as far as the sound that you heard in  
21 the woods, did you just hear the sound and  
22 investigate it, or did somebody tell you y'all  
23 need to look in the woods?  
24 A. Well, originally when I -- if I'm not  
25 mistaken, originally when we got there they said

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1 that it was somebody that had just jumped the  
2 fence. After the shot, there was some more people  
3 that said they heard the shot. I don't know who  
4 they were, but they said they ran out and said  
5 they heard a shot too.  
6 Q. Okay. This is other people there at the  
7 trailer park, other people that lived there?  
8 A. Yes, sir.  
9 Q. This fence, is it a fence you can jump  
10 over easily?  
11 A. No, sir.  
12 Q. Okay. After y'all disbanded the ruckus  
13 that was going there in the common areas, tell me  
14 kind of what happened after that. I mean, there's  
15 other officers --  
16 A. Others were coming, but while we was over  
17 there talking to them and disbanded, we heard  
18 Sergeant White yelling, get down. Stop resisting.  
19 And that's when we ran -- because from where we  
20 had to run, I know we was down here, and we could  
21 hear over here. So we had run down to the end and  
22 go around the fence and then get out there where  
23 he was.  
24 Q. So while y'all are dealing with the ruckus  
25 is when Mr. White got there; is that correct?

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1 A. Yes, sir. He was out in the woods, yes,  
2 sir.  
3 Q. How long had he been there?  
4 A. I don't even know, sir, because I was  
5 dealing with the people in the trailer park.  
6 Q. Did he not come over the radio?  
7 A. He probably did, but sometimes, sir, when  
8 you're in the middle of a bunch of people, you  
9 don't hear that radio, especially if you're trying  
10 to concentrate on that.  
11 Q. So you were concentrating on the ruckus.  
12 You weren't worried about that gunshot?  
13 A. Not at the time because anyway I didn't  
14 know what was -- I didn't want nobody to get hurt  
15 in the trailer park.  
16 Q. So at some point in time while you're  
17 getting rid of the people that are making the  
18 ruckus, telling them to go on, dispatch, get away,  
19 you hear Sergeant White in the woods?  
20 A. Yes, sir.  
21 Q. And again what did you hear him say?  
22 A. I heard him say, stop running, stop  
23 resisting, get down.  
24 Q. Okay. Where -- would you have been close  
25 to the fence at that time or still in the common

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1 area?  
2 **A. In the common area.**  
3 Q. Okay. So there's no way you could see  
4 where he was?  
5 **A. No, sir.**  
6 Q. Okay. So you didn't see him hit  
7 Mr. Prince?  
8 **A. No, sir.**  
9 Q. When -- or explain to me -- you have shown  
10 it on the diagram how you ran around the fence.  
11 When did you first come into contact with  
12 Mr. Prince that night?  
13 **A. I never really actually come into contact**  
14 **with him. I gave Lieutenant White -- when I first**  
15 **got over there where I was, there was a subject**  
16 **laying down, didn't know who he was. And he asked**  
17 **me for my handcuffs, and I gave him my handcuffs**  
18 **and he told me to key up my radio so he could find**  
19 **his radio.**  
20 Q. Okay. You got close enough to the subject  
21 to hand him your handcuffs?  
22 **A. Yes, sir.**  
23 Q. So you made -- you saw the suspect at that  
24 point in time?  
25 **A. Well, he was laying down.**

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1 Q. Was he resisting?  
2 **A. Sir?**  
3 Q. Was he resisting arrest?  
4 **A. At that time, no.**  
5 Q. Can you explain what Sergeant White's  
6 positioning on him was?  
7 **A. He was standing over him I know that much.**  
8 **I can't really explain. I don't -- he had him**  
9 **down, and I don't know if he had his hand in his**  
10 **back or he was just standing over him. I think he**  
11 **just had his hand in his back.**  
12 Q. Like kneeling down beside him?  
13 **A. Yeah, and holding him down.**  
14 Q. Okay. Did Sergeant White explain to you  
15 why he needed your handcuffs?  
16 **A. He had lost all his stuff, his handcuffs**  
17 **and his radio, if I'm not mistaken. I didn't ask**  
18 **him. I don't -- things like that you don't ask.**  
19 **You just -- if he asks for something, your**  
20 **handcuffs, you give them to him.**  
21 Q. Okay. Sergeant White's weapon wasn't out  
22 when you went there, was it?  
23 **A. No, sir. No, sir.**  
24 Q. Okay. But you did not see Sergeant White  
25 strike Mr. Prince?

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1 **A. I was a hundred yards away. He was in the**  
2 **dark in the woods, no, sir.**  
3 Q. You had no way of seeing it?  
4 **A. No way of seeing it.**  
5 Q. So you don't know what happened out there  
6 in the woods?  
7 **A. I don't know what happened in the woods,**  
8 **no, sir.**  
9 Q. So when you first walked up, Mr. White was  
10 kneeling over --  
11 **A. Beside him, yes, sir.**  
12 Q. Beside Mr. Prince.  
13 **A. If I remember right, he was kneeling**  
14 **beside him.**  
15 Q. Kneeling beside him, had his hand on his  
16 back?  
17 **A. If I remember. I can't remember. But**  
18 **like I say, I think that's what he did. He just**  
19 **had his hand in his back.**  
20 Q. Mr. Prince wasn't resisting?  
21 **A. No, sir.**  
22 Q. And you're -- I want to make sure, this  
23 isn't a lit area. You're out there with your  
24 flashlight, right?  
25 **A. I'm out there -- yeah, it's very dark.**

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1 Q. So you're shining your light and you can  
2 see them?  
3 **A. Well, I can shine my light once I get to**  
4 **them, yes, sir.**  
5 Q. Prior to that when y'all were at the  
6 fence, were y'all shining y'all's lights out there  
7 and that sort of stuff?  
8 **A. Yes, sir, but you couldn't see a stick out**  
9 **there.**  
10 Q. You never saw anybody out there in the  
11 woods --  
12 **A. No, sir.**  
13 Q. -- until you heard Sergeant White --  
14 **A. Yelling, yes, sir.**  
15 Q. -- yelling get down. Okay. Did you stay  
16 there with Sergeant White?  
17 **A. No, sir. I started looking for -- because**  
18 **the guy didn't have his shirt on, I started**  
19 **looking for his shirt, me and Deputy Marshall.**  
20 Q. You say Mr. Prince didn't have his shirt  
21 on?  
22 **A. Yes, sir.**  
23 Q. So the two of y'all, you and Deputy  
24 Marshall just start canvassing the area?  
25 **A. Canvassing the area looking for a gun and**

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1 a shirt.  
2 Q. Looking for anything else?  
3 A. Sir? A gun and a shirt.  
4 Q. Were y'all looking for anything else?  
5 A. No, sir.  
6 Q. You were talking about keying a mic up  
7 because it's --  
8 A. Well, that's when we first got over there,  
9 Lieutenant White had -- Sergeant White had lost  
10 his radio, so -- right in the area and we keyed  
11 the radio up and he finally found it.  
12 Q. Did he lose anything else that day?  
13 A. Like I say, he may have lost his  
14 handcuffs. I can't remember. I know about the  
15 radio because he told me to key my radio.  
16 Q. Were y'all able to find it?  
17 A. Yes, sir.  
18 Q. And tell me what happens at that point.  
19 A. They walked -- they escorted Mr. Prince  
20 out. I got back -- well, after about 20 or  
21 30 minutes we are searching the area looking for  
22 the shirt or gun, they're gone.  
23 Q. You're saying "they," you mean you and  
24 Mr. Marshall?  
25 A. Yeah, me and Mr. Marshall was looking for

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1 the shirt and the gun, yes, sir.  
2 Q. And 20, 30 minutes of that, where is  
3 Mr. White and Mr. Prince?  
4 A. I have no idea. They walked out to the  
5 front. I have -- once I gave him my cuffs and he  
6 got him up and he started walking, I never had any  
7 more contact. I went back over in the common area  
8 to finish the call.  
9 Q. Okay. Where did Mr. White take  
10 Mr. Prince?  
11 A. To jail I guess.  
12 Q. Okay. Do you know where his car was  
13 parked?  
14 A. It had to be parked on the highway because  
15 he couldn't get in the bushes.  
16 Q. When you say "highway," you mean --  
17 A. The Raceway Road.  
18 Q. -- Raceway Road?  
19 A. Yes, sir.  
20 Q. So to the best of your knowledge, the  
21 defendant was escorted out towards the east to  
22 Raceway Road?  
23 A. Yes, sir.  
24 Q. And from there he was taken to the police  
25 station?

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1 A. Yes, sir, to my knowledge.  
2 Q. Do you know who transported him?  
3 A. No, sir.  
4 Q. So the only time you ever saw Mr. Prince  
5 was in the woods?  
6 A. Yes, sir.  
7 Q. You never saw him in the common area?  
8 A. No, sir.  
9 Q. Again it's dark, and I realize that. You  
10 had a flashlight. Did you see any injuries to  
11 Mr. Prince?  
12 A. No, sir.  
13 Q. So you didn't visually see anything wrong?  
14 A. I didn't visually see anything, because  
15 when I got there, he was laying down.  
16 Q. Okay. Did you ever at any point in time  
17 see somebody running into the woods that night?  
18 A. No, sir.  
19 Q. Okay. Do you know about whether or not  
20 Mr. Prince was searched that night?  
21 A. I don't know, no, sir.  
22 Q. You don't know. Okay.  
23 A. I didn't.  
24 Q. You did not search him. Okay. You and  
25 Mr. Marshall spent 20 or 30 minutes out there

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1 looking, did y'all find a shirt?  
2 A. No, sir, I don't think we did. No, sir.  
3 Q. Did y'all find a firearm of any kind?  
4 A. No, sir.  
5 Q. Did you find any spent casings of any  
6 kind?  
7 A. No, sir.  
8 Q. So that night y'all didn't recover any  
9 weapons whatsoever?  
10 A. No, sir.  
11 Q. Did y'all look specifically right in the  
12 area where Mr. Prince had been?  
13 A. Well, we did a grid, yes, sir.  
14 Q. Y'all sectioned it off into grids?  
15 A. Yes, sir.  
16 Q. You and Marshall walked lines back and  
17 forth looking?  
18 A. Yes, sir.  
19 Q. No weapons were found?  
20 A. No, sir.  
21 Q. And you don't -- you don't have any  
22 knowledge that Mr. Prince discarded anything, do  
23 you?  
24 A. Oh, no, sir, I don't.  
25 Q. When I asked you originally about the

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1 trailer park, you said you had been there a whole  
2 bunch and you kind of grinned.  
3 **A. Yes, sir.**  
4 **Q. Tell me about the trailer park.**  
5 **A. I mean, it's a place where people stay. I**  
6 **mean, it's a trailer park.**  
7 **Q. And is it a rough area, is it a --**  
8 **A. Sometimes, sometimes it's not.**  
9 **Q. Okay.**  
10 **A. It's not nothing that I -- you know, I**  
11 **can't say that it's just a bad place.**  
12 **Q. Most of the stuff that you described**  
13 **earlier is misdemeanor activity. I think you said**  
14 **something about a burglary.**  
15 **A. Yes, sir.**  
16 **Q. Was anybody arrested on that burglary to**  
17 **your knowledge?**  
18 **A. Probably so. Some. I can't remember.**  
19 **I'm just saying overall that's the different type**  
20 **of calls that would come to that location.**  
21 **Q. And you, other than in the woods, you**  
22 **never saw Mr. Prince any more that night?**  
23 **A. No, sir. No, sir.**  
24 **Q. When did you do your report?**  
25 **A. The next day because I didn't know nothing**

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1 **about the injuries or none of that until the next**  
2 **day.**  
3 **Q. Okay. The next day did you see Mr. Prince**  
4 **at all?**  
5 **A. No, sir.**  
6 **Q. Since that night you saw him in the**  
7 **woods --**  
8 **A. I have not.**  
9 **Q. -- to the best of your knowledge have you**  
10 **seen him?**  
11 **A. If I have, I wouldn't know who he was. To**  
12 **be honest if he walked up to me now, I wouldn't**  
13 **know him.**  
14 **Q. Understood. Had you seen injuries to**  
15 **Mr. Prince that night, would you have done a**  
16 **report?**  
17 **A. Yes, sir.**  
18 **Q. You would have done a report. When did**  
19 **you find out that he was injured?**  
20 **A. The next day.**  
21 **Q. But you didn't do a report then?**  
22 **A. Yes, sir. That's when I did my report,**  
23 **the next day.**  
24 **Q. You didn't do a report regarding**  
25 **specifically about just a detainee being injured?**

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1 **A. I did an offense report, yes, sir, on what**  
2 **happened.**  
3 **Q. What you would have normally done?**  
4 **A. Yes, sir.**  
5 **Q. And that was the reason you did it?**  
6 **A. Yes, sir.**  
7 **Q. Had you not known that he had been**  
8 **injured, you would not have done one?**  
9 **A. No, sir.**  
10 **Q. Did anybody that supervised you tell you**  
11 **to do it?**  
12 **A. Well, I knew we had to do one because of**  
13 **the injury. That was --**  
14 **Q. Nobody specifically told you. It's just**  
15 **you knew as part of y'all's policies and**  
16 **procedures you were supposed to do one?**  
17 **A. Yes, sir.**  
18 **Q. Did you do it the next morning or was it**  
19 **when you came in on the next shift?**  
20 **A. When I came in the next shift when I found**  
21 **out about it because I got off that night.**  
22 **MR. DUNCAN: I don't have anything**  
23 **else, Scott.**  
24 **MR. PHILLIPS: I just have a few**  
25 **questions. I'm going to get this marked. This is**

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1 his report.  
2 **THE WITNESS: I wrote on the back of**  
3 **it.**  
4 **MR. PHILLIPS: Oh, you did. Well,**  
5 **here, Rebecca, go make me a copy of that. I'll**  
6 **ask you -- talk to you about that. We are going**  
7 **to mark it.**  
8 **EXAMINATION**  
9 **BY MR. PHILLIPS:**  
10 **Q. This report, what is the date on that**  
11 **report, Mr. Parson?**  
12 **A. 3-16-12.**  
13 **Q. Would you agree with me -- or let me ask**  
14 **you this: Was your memory better on March 16,**  
15 **2012?**  
16 **A. Yes, sir.**  
17 **Q. Than it is today?**  
18 **A. Yes, sir.**  
19 **Q. Today we are more than two years after**  
20 **this incident, right?**  
21 **A. Yes, sir.**  
22 **Q. I just want to kind of -- because I want**  
23 **to make sure I understand the chain of events.**  
24 **Okay?**  
25 **A. Yes, sir.**



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1 Q. This report, which we are going to have  
2 marked when it gets back, says on March 16th at  
3 approximately 11:00 p.m. I, Sergeant Parson,  
4 responded to 2587 Old Leland Road, Lot 24 in  
5 reference to a disturbance in progress. That's  
6 right?  
7 A. Yes, sir.  
8 Q. Upon arrival Deputy Marshall was already  
9 on scene gathering information for a report.  
10 (Whereupon, the above-mentioned  
11 document was marked as Exhibit No. 3.)  
12 Q. It says, "while standing in the roadway at  
13 Pearson Trailer Park, I, Sergeant Parson, heard  
14 two gunshots coming from southeast of the location  
15 where I Sergeant Parson and Deputy Marshall was  
16 standing." You see that?  
17 A. Yes, sir.  
18 Q. Now, earlier you said it was a single  
19 shot?  
20 A. Yes, sir. It was a mistake because, I  
21 mean, that's been two years ago.  
22 Q. Right. You would -- your memory was  
23 better when you did this?  
24 A. Yeah, this would be more accurate.  
25 Q. Okay. All right. So -- and then it says

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1 at that time -- do you know what -- do you  
2 remember what you were doing when you heard the  
3 gunshots?  
4 A. We were just standing in the roadway  
5 talking to I think some citizens.  
6 Q. Were you talking to the person who had  
7 called in about the complaint?  
8 A. Most likely, yes, sir.  
9 Q. Do you remember if you were talking to  
10 males, females or both?  
11 A. Both. I think it was both.  
12 Q. Okay. Do you -- and do you remember any  
13 of their names, male or female?  
14 A. No, sir.  
15 Q. Does the name Steven Jackson ring a bell?  
16 A. I want to say that's the gentleman that we  
17 had a warrant -- or Greenville PD had a warrant  
18 on. I'm not 100 percent sure. But I know there  
19 was -- I think Steven Jackson was the one that we  
20 arrested for a warrant for Greenville.  
21 Q. Do you know if -- do you remember if  
22 Steven Jackson was there when you and Mr. Marshall  
23 heard the shots?  
24 A. Heard the shots. Yes, sir.  
25 Q. He was there?

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1 A. Yes, sir.  
2 Q. He didn't have a gun in his hand, did he?  
3 A. No, sir.  
4 Q. Were you able to rule out that it was not  
5 Steven Jackson who fired the shots that you heard?  
6 A. Yes, sir.  
7 Q. Okay. And do you remember whether you had  
8 knowledge already that somebody had run from the  
9 scene?  
10 A. Yes, sir.  
11 Q. Somebody had already told you that?  
12 A. That somebody ran from the scene, yes,  
13 sir.  
14 Q. And that was before you even heard the  
15 shots; is that right?  
16 A. Yes, sir. Yes, sir.  
17 Q. And according to this it says, after you  
18 heard the shots, you and Deputy Marshall went to  
19 the area where you thought you heard the shot was  
20 coming from?  
21 A. Yes, sir.  
22 Q. Does that jive with your recollection?  
23 A. Yes, sir.  
24 Q. And then it says: "While on the way to  
25 that area, I, Sergeant Parson, got on the radio

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1 and advised dispatch and other deputies that  
2 someone was shooting close to the area." Does  
3 that jive with your recollection?  
4 A. Yes, sir.  
5 Q. And it sounds like that's when you:  
6 "While searching the back of the trailers close to  
7 the fence, I, Sergeant Parson, heard some movement  
8 directly across from my location in a wooded  
9 area."  
10 A. Yes, sir.  
11 Q. Does that sound right?  
12 A. Yes, sir.  
13 Q. So you went to the back of the trailer and  
14 you heard somebody in the woods?  
15 A. Yes, sir.  
16 Q. And at that time I, Sergeant Parson,  
17 radioed to Sergeant White and advised him that  
18 there was someone in the woods running. You could  
19 hear somebody running?  
20 A. I could hear sticks and leaves and stuff  
21 being -- yes, sir.  
22 Q. So at that time you were under -- you knew  
23 that Sergeant White had made it to the scene?  
24 A. I can't remember whether he was already on  
25 the scene or he was just about there or what. I

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1 **can't remember that.**  
2 Q. Good enough. But you had radioed and told  
3 him -- yeah, you radioed to him and told him that  
4 there was someone in the woods, right?  
5 **A. Yes, sir.**  
6 Q. And I stayed -- "I, Sergeant Parsons,  
7 stayed on the north side of the fence so I could  
8 show Sergeant White where I heard the noise."  
9 **A. Yes, sir.**  
10 Q. And do you remember trying to show him  
11 where the noise was coming from?  
12 **A. Yes, sir, with my flashlight.**  
13 Q. So by that time he was in the woods too?  
14 **A. Yes, sir.**  
15 Q. Once Sergeant White got to where I was  
16 standing, he went out through the woods -- in the  
17 weeds in the woods. I, Sergeant Parson, started  
18 to go to assist Sergeant White in the woods. That  
19 sounds --  
20 **A. Yes, sir.**  
21 Q. Then you heard two people arguing real  
22 loud so you and Deputy Marshall had to go back to  
23 where you had just come from, right?  
24 **A. Yes, sir. Yes, sir.**  
25 Q. And that's when the citizens were out

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1 there arguing with one another?  
2 **A. Yes, sir.**  
3 Q. Do you recall whether the citizens who  
4 were in the argument were the same people you had  
5 just been over there --  
6 **A. I think it was a female and a male, yes,**  
7 **sir.**  
8 Q. Do you know if the male was the one who  
9 eventually was arrested on the warrant?  
10 **A. Yes, sir. I think that's what it was.**  
11 Q. And do you know who the female was?  
12 **A. It was whoever the complainant was, the**  
13 **female. I don't know what her name. I never got**  
14 **a --**  
15 Q. So you're saying Jackson and the  
16 complainant were arguing?  
17 **A. Yes.**  
18 Q. Do you know if anybody who was friends  
19 with Michael Prince was also in that altercation?  
20 **A. I think the girl, the young lady was his**  
21 **girlfriend. I'm not for sure. I don't know.**  
22 Q. Right. I understand. I understand. You  
23 don't even know who that was?  
24 **A. No, sir.**  
25 Q. Her name.

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1 **A. No, sir.**  
2 Q. And while you were over there separating  
3 the male and female, again I'm paraphrasing from  
4 your report --  
5 **A. Uh-huh.**  
6 Q. -- that's when you heard Sergeant White  
7 yelling out, and I'm reading from your report,  
8 "stop running, lay down"?  
9 **A. Yes, sir.**  
10 Q. You remember that?  
11 **A. Yes, sir.**  
12 Q. But you weren't anywhere within eyesight  
13 of that?  
14 **A. No, sir.**  
15 Q. But after you heard him say that it says,  
16 at the time Deputy Marshall and I, Sergeant  
17 Parsons, started running to the wooded area where  
18 we heard Sergeant White yelling from -- and while  
19 you were running, you could hear Sergeant White  
20 yelling, "let me see your hands, and don't move"?  
21 **A. Yes, sir.**  
22 Q. Does that sound right?  
23 **A. Yes, sir.**  
24 Q. And it looks like, just paraphrasing from  
25 your report, once you and Marshall got there,

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1 that's when he had the black male with no shirt  
2 detained at that time?  
3 **A. Yes, sir.**  
4 Q. That's when he keyed up the radio and you  
5 gave him your handcuffs?  
6 **A. Yes, sir.**  
7 Q. Do you recall whether Sergeant White  
8 had said he had lost his flashlight or not, do you  
9 recall one way or another?  
10 **A. I can't -- no, sir.**  
11 Q. Okay. Did you hear Mr. Prince make any  
12 comments or statements?  
13 **A. No, sir.**  
14 Q. When you heard Sergeant White yelling,  
15 "stop running, lay down, let me see your hands,  
16 don't move," did you ever hear Mr. Prince yelling  
17 anything?  
18 **A. No, sir.**  
19 Q. Like I'm not resisting?  
20 **A. No, sir.**  
21 Q. Or I am lying down?  
22 **A. I never heard him say anything.**  
23 Q. Did you ever hear him say, don't hit me?  
24 **A. No, sir.**  
25 Q. Do you remember when he was asking you

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1 questions and it was about citizens complaints  
2 about their displeasure with law enforcement?  
3 **A. Yes, sir.**  
4 Q. You made some comment, I'm paraphrasing,  
5 that they are always going to complain when you're  
6 doing your job and they don't think what you're  
7 doing -- they think they're above the law?  
8 **A. Yes, sir.**  
9 Q. You were making that in a general  
10 statement, right?  
11 **A. Just general statement, yes, sir.**  
12 Q. That would hold true with at your time at  
13 Sharkey Sheriff's Department?  
14 **A. Yes, sir. Greenville Police Department,**  
15 **yes, sir.**  
16 Q. And now at Leland, right?  
17 **A. Yes, sir.**  
18 Q. Do you know if Mack White also carried a  
19 Stinger flashlight?  
20 **A. I'm almost positive he did.**  
21 **MR. PHILLIPS:** That's all I have.  
22 **EXAMINATION**  
23 **BY MR. DUNCAN:**  
24 Q. Just a couple of follow-up questions.  
25 When I had asked you some questions about when

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1 Officer White arrived, you said that you  
2 couldn't -- you don't remember hearing him come  
3 over the dispatch and said he arrived?  
4 **A. Yes, sir.**  
5 Q. But you did radio him about the sounds you  
6 were hearing?  
7 **A. Yes, sir. I knew he was on the way.**  
8 Q. Okay. But you didn't know if he was  
9 coming from --  
10 **A. I didn't know which way he was coming**  
11 **from.**  
12 Q. You didn't know if he was coming down Old  
13 Leland Road from the east or from the west, did  
14 you?  
15 **A. No, sir.**  
16 Q. You said that you heard Officer White say,  
17 stop running, lay down?  
18 **A. Yes, sir.**  
19 Q. When you got to the location where Officer  
20 White was, was Mr. Prince -- had he stopped  
21 running?  
22 **A. Yes, sir. He was laying down.**  
23 Q. And he was laying down?  
24 **A. Yes, sir.**  
25 Q. Did you ever hear Officer White say, stop

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1 resisting?  
2 **A. Yes, sir. That was prior to I got -- to**  
3 **me getting over there.**  
4 Q. Did you put that in your report?  
5 **A. Yes, sir -- no, I didn't. I put in there**  
6 **stop running, lay down, let me see your hands.**  
7 Q. And that was when it was fresh in your  
8 mind again, right?  
9 **A. Sir? Yes, sir. This is when I was --**  
10 Q. And you didn't remember at that time him  
11 saying anything about stop resisting?  
12 **A. No, sir.**  
13 Q. And who was it that told you somebody had  
14 run?  
15 **A. I don't know who the citizen was.**  
16 Q. Do you remember if it was a male or  
17 female?  
18 **A. No, sir.**  
19 Q. Would it have been the complainant?  
20 **A. I don't know.**  
21 Q. That night did you see Mr. Prince  
22 resisting in any way?  
23 **A. No, sir.**  
24 Q. And you didn't put it in your report that  
25 you heard Officer White saying stop resisting?

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1 **A. No, sir.**  
2 **MR. DUNCAN:** Nothing else.  
3 **MR. PHILLIPS:** Thank you.  
4 (Deposition concluded at 2:25 p.m.)  
5 **AND FURTHER DEPONENT SAITH NOT**  
6 **(Signature waived)**  
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1 COURT REPORTER'S CERTIFICATE

2 STATE OF TENNESSEE:

3 COUNTY OF SHELBY:

4 I, SHERYL G. WEATHERFORD, LCR #027, CSR, RPR,  
5 and Notary Public, Shelby County, Tennessee,  
6 CERTIFY:

7 1. The foregoing deposition was taken before  
8 me at the time and place stated in the foregoing  
9 styled cause with the appearances as noted;

10 2. Being a Court Reporter, I then reported  
11 the deposition in Stenotype to the best of my  
12 skill and ability, and the foregoing pages contain  
13 a full, true and correct transcript of my said  
14 Stenotype notes then and there taken;

15 3. I am not in the employ of and am not  
16 related to any of the parties or their counsel,  
17 and I have no interest in the matter involved.

18 4. I FURTHER CERTIFY that this transcript is  
19 the work product of this court reporting agency  
20 and any unauthorized reproduction AND/OR transfer  
21 of it will be in violation of Tennessee Code  
22 Annotated 39-14-104, Theft of Services.

23 WITNESS MY SIGNATURE, this, the 6th day of  
24 May, 2014.

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My commission expires:  
June 5, 2016

